

MINUTES
GREEN BAY PLAN COMMISSION
Monday, March 10, 2014
City Hall, Room 604
6:00 p.m.

MEMBERS PRESENT: Maribeth Conard–Chair, Linda Queoff-Vice Chair, Sidney Bremer, and Ald. Jerry Wiezbiskie.

MEMBERS EXCUSED: Tim Duckett and Tim Gilbert

OTHERS PRESENT: Paul Neumeyer, Bill Lockery, Nic Sparacio, Ald. Amy Kocha, Ald. David Boyce, Ald. Mark Steuer, Jim Tschampl, Tom Nockerts, Shannon Wienandt, Christine Hentges, and David Varney

APPROVAL OF MINUTES:

Approval of the minutes from the February 24, 2014, Plan Commission meeting

A motion was made by L. Queoff and seconded by S. Bremer to approve the minutes from the February 24, 2014, Plan Commission meeting with the following underlined revisions on Page 3. Motion Carried.

L. Queoff changed the Plan Commission minutes on Page 3, 5th paragraph from the bottom, P. Quinn’s statement should read; “and Fajita Republic would be petitioning to adopt more signage”.

COMMUNICATIONS:

OLD BUSINESS:

NEW BUSINESS:

1. (ZP 14-03) Discussion and action on a request for a Conditional Use Permit (CUP) to authorize an existing cemetery use at 1350 North Military Avenue, submitted by Christine A. Hentges, Fort Howard Memorial Park, LLC. (Ald. Steuer, District 10)

P. Neumeyer stated this is a request for a Conditional Use Permit (CUP) for a cemetery use for the Fort Howard Cemetery located at 1350 North Military Avenue. This is currently zoned as R3, Varied Density Residential. The CUP will allow the petitioner to make future modifications to the existing the Chapel Mausoleum. Staff is recommending approval of the request with conditions.

S. Bremer stated that in the Staff Report it states that the mausoleum will be used as a crematory and asked if that included adding a chimney. If a chimney had to be added, would it be considered an accessory item?

P. Neumeyer stated he did not know at this point as no site plans have been submitted. Ald. J. Wiezbiskie stated he was curious if there were any concerns regarding contamination as far as smoke from the crematory.

P. Neumeyer stated he was not aware of any concerns.

M. Conard suspended the rules and opened the floor to public comments.

Christine Hentges – 1350 N. Military Avenue: C. Hentges stated that they own 4 cemeteries in the State. They are currently going through and making sure that all of them are properly zoned. There would probably be a very small chimney, or pipe, that would come out of the building. It would not be a very big chimney or pipe due to the height of the building and doubts it would be noticeable. In regards to crematory uses in general, there is not any smoke that comes out of a crematory facility. EPA is very minimal.

Ald. M. Steuer asked the Plan Commission if there were other crematoriums in the City, and if there has been any issues with any of those.

B. Lockery stated there are and that he had done a zoning for Malcore's crematory in the neighborhood. He has not received any calls or complaints and the crematorium has been there for about 10 – 15 years.

A motion was made by L. Queoff and seconded by J. Reck to approve the request for a Conditional Use Permit (CUP) to authorize an existing cemetery use at 1350 North Military Avenue subject to:

- a. Any future principal building construction will require a Conditional Use Permit (CUP); new accessory buildings will be permitted as allowed under the current zoning.
 - b. Any interior remodeling of the existing chapel mausoleum will be permitted and subject to site plan and building plan approval.
3. (ZP 14-05) Discussion and action on a request to amend the Planned Unit Development (PUD) to include professional office, limited boutique retail and health/fitness, uses located at 2430 Finger Road, submitted by James E. Tschampl, property owner. (Ald. Kocha, District 5)

P. Neumeyer stated this is a request to amend the PUD at 2430 Finger Road. This request was before the Plan Commission previously as a proposed amendment for the Green Bay Area Public School District for educational uses. This request was tabled in November 2013 and then denied by the Plan Commission on 12/09/2013 and sent to Common Council on 12/17/13. There were no new plans submitted. The applicant and new owner will need to obtain an amended permit for several different uses, which include Professional Office, Boutique Retail and health related uses. The existing building is two stories with approximately 8500 square feet. We notified affected property owners of the request. Staff recommended approval of the request subject to the draft PUD amendment.

S. Bremer wanted to confirm with P. Neumeyer that the Staff Report should read, Item #3, 5th paragraph from the bottom, "referred back to the Plan Commission" and not "back to staff from the Plan Commission". She also had one question regarding the 4500 square foot limitation put on the boutique retail and possibly putting a similar limitation on the health and fitness aspects, which include personal trainers, where personal training can turn into a retail outfit for people coming in and out. She asked if this all had to do with the volume intensity of the people and the traffic.

P. Neumeyer stated it might include more traffic. They are concerned about introducing the retail side as there isn't really any retail there right now. The Comprehensive Plan does support a commercial type use now, and we want to make consistent with the existing uses along that stretch. This is why the applicant suggested boutique retail as it would be a better fit for that area.

L. Queoff asked if the applicant owns the building.

J. Tschampl stated there is an offer on the building, contingent upon being able to amend the PUD.

M. Conard suspended the rules and opened the floor for public comments.

Jim Tschampl – 1601 Mac Arthur Street: J. Tschampl stated the school district withdrew their offer on the building and he was in a 2nd position to acquire the property. He does have an offer on the building. He owns a small architecture business and plans to move into the subject location. He is requesting the change to have a reasonable chance to rent out the rest of the building.

L. Queoff asked if he had business already lined up to move in. She stated their concern would be what type of neighbors would be allowed due to the wide spectrum of zoning allowed.

J. Tschampl stated he did not. He stated the broader he could keep the list, the more options he would have to rent the rest of the space. He stated he understood and that was why he is trying to define the limits. He talked to one of the neighbors and their main concern was traffic. He believes it is a great place for smaller retail because of the mall and zoning. He does want to be sensitive about the traffic count.

M. Conard asked if he would be occupying the building and therefore careful on whom he would bring into the building.

J. Tschampl stated absolutely. However, if there is a scenario where an occupant would want the whole building, he may lease it to that one tenant rather than moving in himself, He would see what happens after he puts up the "For Lease" sign.

S. Bremer asked if he understood that the one tenant could not be all retail due to the 4500 square foot limit.

J. Tschampl stated he understood and that most likely it will be a professional office.

L. Queoff asked what the layout of the building was.

J. Tschampl stated the building has two floors. The 4500 square feet is the lower level and it would be very easy to divide the building so one tenant can take the upper floor and one can take the lower level. He can also divide it smaller by dividing the corridor through either floor. It is quite a versatile building, which is one of the reasons he liked the building.

Ald. D. Boyce asked the petitioner if the building could possibly be turned into a residential home.

J. Tschampl stated it is a possibility, but not his intention at this point in time.

Tom Nockerts – Business Owner: He stated he is the dentist that Mr. Tschampl had contacted. He stated as much as the applicant wants to keep his parameters broad, he wants to keep them narrow. He stated he likes the building being a professional office and his use and thinks that would be an asset to the area. His concern is with some of the uses being presented as they seem a little more commercial than he would like to see there. He thinks the boutique retail is a little more than what he is comfortable with.

Ald. A. Kocha stated she was trying to picture the negative impact that T. Nockerts sees with this zoning; opposed to the school and all the children.

T. Nockerts stated traffic volume.

Ald. A. Kocha stated she had not received any negative calls on this request and thinks the zoning would be reasonable.

J. Tschampl stated he liked the fact that he only has a maximum of 4500 square feet for retail.

T. Nockerts asked if that meant that he could not rent out more than 4500, and could only rent out half of the building for retail.

B. Lockery asked T. Nockerts how the traffic was when the building was occupied by the regional headquarters for the Girl Scouts of Northeast Wisconsin Great Lakes, Inc.

T. Nockerts answered that it would be very busy a few times a year but usually it wasn't too bad.

M. Conard stated no more than 4500 square feet for retail and that this should keep traffic down as well.

Ald. J. Wiezbiskie asked if a condition, upon the decision of what is put into the 4500 square feet, could come back here for approval.

P. Neumeyer stated that would be very limiting and restrictive.

A motion was made by S. Bremer and seconded by Ald. J. Wiezbiskie to approve the request subject to the draft Planned Unit Development (PUD) amendment.

2. (ZP 14-04) Discussion and action on a request for a Conditional Use Permit (CUP) to authorize an educational use, Empire Beauty School, a full service cosmetology school at 713 South Military Avenue, submitted by David Varney, Empire Education Group. (Ald. Danzinger, District 11)

P. Neumeyer stated that this is a request for a CUP for an educational use in the Green Bay Plaza. The Green Bay Plaza is an L-shaped building that sits on 2 parcels approximately 16 acres in size. The tenant space is approximately 8200 square feet and is located closer to West Mason Street. Sufficient parking is provided on-site. Affected property owners of the request were notified. Staff recommended approval of the request.

J. Reck asked if this CUP applies just to 713 Military.

P. Neumeyer stated that was correct.

L. Queoff asked if all 100 students and 8 staff members would park in the area near Taco Bell. Some of the parking areas are already crowded, and with the extra 100 vehicles is that going to be problematic at all? She inquired if the extra traffic would be a problem with the extra 100+ vehicles coming in and out of the plaza area and possibly creating traffic jams.

P. Neumeyer stated that there is a designated space for the school parking. P. Neumeyer stated that a parking analysis has not been done; however, there should be sufficient parking on site at the Plaza. He stated traffic back-ups would depend on the direction the vehicles are moving.

J. Reck stated he is less concerned about the traffic, but the nature of the parking lot as people tend to crowd toward the entrances of the businesses. He thinks a designated area for the students would be best.

Ald. D. Boyce also agrees there should be designated parking spots for students.

M. Conard suspended the rules and opened the floor for public comments.

David Varney – 396 Pottsville – St Clair Highway, Pottsville, PA: D. Varney stated they came up with a student parking plan and assigned them to one given area. Once a student is enrolled, they will receive a parking window cling for a designated area. If a student parks outside of that area, they will be asked to move and park in the designated area. This is the number one issue they have when looking for area to open a new school. After the site plan had been submitted, the landlord now wants some school parking behind the building.

A motion was made by L. Queoff and seconded by Ald. J. Wiezbiskie to approve the request for a Conditional Use Permit (CUP) to authorize an educational use, Empire Beauty School, a full service cosmetology school at 713 South Military Avenue.

4. (ZP 14-06) Discussion and action on a request to rezone 1660 Christiana Street from Varied Density Residential (R3) to Office-Residential (OR) and a request for a Conditional Use Permit (CUP) for an existing emergency shelter at the same address, submitted by Shannon Wienandt, House of Hope. In addition, the Green Bay Planning staff is recommending that the rezoning request be expanded to include properties in the 1660 to 1700 Blocks of Shawano Avenue and Christiana Street. (Ald. Danzinger, District 11)

P. Neumeyer stated this is a follow-up to a Comprehensive Plan amendment we did earlier this year, approved March 4, 2014, for the 1660 to 1700 Blocks of Shawano Avenue. This is a three (3)-part request: One is to rezone 1660 Christiana Street from Varied Density Residential (R3) to Office Residential (OR) to allow the area to be redeveloped as a mixed use area, second is a Conditional Use Permit for 1660 Christiana Street for the House of Hope and the third is rezoning the listed 9 parcels from R3 to OR. Most current uses are non-conforming to the zoning and the proposed rezoning will not affect their current use. Affected property owners were noticed of the subject requests. Staff recommendation tonight is approval of the request subject to conditions a, b, and c listed in the agenda.

S. Bremer asked if this is the same scope as the previous request. She asked about “Parts of 1711 Shawano Avenue” as they usually don’t have zoning through parts of parcels.

P. Neumeyer stated that it is one parcel short. There are only 11 parcels and not 12. He stated that that particular parcel follows all parcel lines except it didn't really have frontage and it is difficult to identify.

M. Conard suspended the rules and opened the floor to public comments.

Shannon Wienandt – 4236 Pittco Road: S. Wienandt stated she was here tonight to answer any questions anyone may have.

A motion was made by L. Queoff and seconded by Ald. J. Wiezbiskie to recommend approval of the following:

- a. 1660 Christiana Street be rezoned from Varied Density Residential (R3) to Office-Residential (OR)
- b. The following parcels being rezoned from Varied Density Residential (R3) to Office/Residential (OR):
 1. 1667 Shawano Avenue Tax Parcel: 6-345
 2. 1677 Shawano Avenue Tax Parcel: 6-346
 3. 1679 Shawano Avenue Tax Parcel: 6-347
 4. 1685 Shawano Avenue Tax Parcel: 6-348
 5. 1691 Shawano Avenue Tax Parcel: 6-349
 6. 1695 Shawano Avenue Tax Parcel: 6-350
 7. Part of 1711 Shawano Avenue Tax Parcel: 6-368
 8. 1680 Christiana Street Tax Parcel: 6-369
 9. 1676 Christiana Street Tax Parcel: 6-371
- c. A Conditional Use Permit (CUP) being authorized for an existing emergency shelter at 1660 Christiana Street, subject to the submitted program statement/operating plan.

Motion carried.

5. (PP 12-07) Discussion and action on the proposed Downtown Master Plan (AuthentiCity: A Strategic Vision for Green Bay's Downtown) and resolution as recommended for adoption by the Citizen Steering Committee.

N. Sparacio stated the plan consists in two parts, The State of the Downtown and The Plan Recommendations Report. It was pointed out in the staff report some of the differences between what was given initially and what was finalized by the Citizen Steering Committee, which were all minor changes. The substantive recommendations are basically identical to what was presented at the February 10, 2014, Plan Commission meeting.

The Plan Commission discussed the draft plan and expressed support for the process and the quality of the end results. S. Bremer suggested that in the 1st paragraph of the Resolution, the word "residence" should be added to say "historic center of government, residence, and culture".

A motion was made by S. Bremer and seconded by Ald. J. Wiezbiskie to approve the Downtown Master Plan (AuthentiCity: A Strategic Vision for Green Bay's Downtown) and resolution as recommended for adoption by the Citizen Steering Committee. Motion carried unanimously.

INFORMATIONAL:

OTHER:

Director's Update on Council Actions

B. Lockery reported the following information:

- The Common Council approved the 2 public hearings unanimously:
 - Larsen Green to amend the Comprehensive Plan to Downtown Mixed Use.
 - House of Hope to amend the Green Bay Smart Growth 2022 Comprehensive Plan.
- The Common Council approved the variance for Western Avenue, Habitat for Humanity.
- The Common Council approved the first reading of the Anduzzi's sign and will be sent for final approval.
- The Common Council also approved the solar panels for The Sisters of St. Francis.

SUBMITTED PETITIONS: (for informational purposes only)

A motion was made by S. Bremer and seconded by Ald. J. Wiezbiskie to adjourn the meeting.
Motion carried.

Meeting adjourned at 7:05 p.m.